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FAX TRANSMISSION

Date: January 11, 2009

To: Examiner J. Van Bramer GAU 3622 U.S. Patent and Trademark Office

Fax: 571-273-8300

From: William J. Clemens

Re: 15662

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COMMENTS: Please see the following Fee Transmittal form and Brief on Appeal for filing in the patent application S/N 09/940,117. Thank you.

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PTO/SB/17 (10-08)
Approved for use through 06/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2009

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 540.00

Complete If Known	
Application Number	09/940,117
Filing Date	August 28, 2001
First Named Inventor	Robibero
Examiner Name	J. Van Bramer
Art Unit	3622
Attorney Docket No.	15662

METHOD OF PAYMENT (check all that apply)

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES Fee ($)	FILING FEES Small Entity Fee ($)	SEARCH FEES Fee ($)	SEARCH FEES Small Entity Fee ($)	EXAMINATION FEES Fee ($)	EXAMINATION FEES Small Entity Fee ($)	Fees Paid ($)
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195

Total Claims _____ - 20 or HP = _____ x Extra Claims _____ Fee ($) _____ = Fee Paid ($) _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims _____ - 3 or HP = _____ x Extra Claims _____ Fee ($) _____ = Fee Paid ($) _____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims Fee ($) _____ Fee Paid ($) _____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $270 ($135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets _____ - 100 = _____ Extra Sheets _____ / 50 = _____ Number of each additional 50 or fraction thereof (round up to a whole number) x Fee ($) _____ = Fee Paid ($) _____

4. OTHER FEE(S)

	Fees Paid ($)
Non-English Specification, $130 fee (no small entity discount)	
Other (e.g., late filing surcharge): Appeal Brief	540

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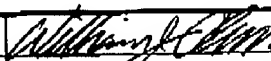
Signature		Registration No. (Attorney/Agent) 26,655	Telephone 248-960-2100
Name (Print/Type)	William J. Clemens		Date January 11, 2009

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Date of signature and transmission JANUARY 11, 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: ROBIBERO	Group Art Unit: 3622
Serial No.: 09/940,117	Examiner: J. Van Bramer
Filed: August 28, 2001	Attorney Docket: 15662
For: APPARATUS AND METHOD FOR USING EQUIPMENT REMOTE ...	Confirmation No.: 3920

January 11, 2009

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BRIEF ON APPEAL

Honorable Sir:

This is an Appeal from the action of the Examiner dated July 8, 2008, finally rejecting Claims 18-39 in the above-identified patent application. Appellant filed a Notice of Appeal and a Pre-Appeal Brief Conference Request on October 7, 2008. A Pre-Appeal Brief Conference Decision was mailed on December 11, 2008, and reset the time period for filing Brief on Appeal to one month from the mailing date of the Decision. This Brief on Appeal is being filed under the provisions of 37 C.F.R § 41.37.

A decision on whether to request an oral hearing will be delayed until after the Examiner's Answer has been received.

(i) *Real Party in Interest:*

The real party in interest is INVENTIO AG, the assignee of record.

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(ii) *Related Appeals and Interferences:*

Appellant is not aware of any related appeals or interferences.

(iii) *Status of Claims:*

Claims 18-39 remain pending in the application and presently stand rejected. This appeal is taken as to all of the rejected claims.

(iv) *Status of amendments:*

There are no amendments pending in the application.

(v) *Summary of claimed subject matter:*

The invention sought to be patented relates to a method and an apparatus for using customer equipment remote monitoring to generate automated product sales offers to the associated customer based upon perceived need. While monitoring elevator and escalator systems, a remote monitoring system can control and assess many equipment or system parameters, which can later be used to justify a specific product offering or upgrade that would be of interest to a customer. For example, parameters that can be used to determine specific customer product offering opportunities include, but are not limited to, application modifications such as changes in software, mode of operation, and features, usage parameters such as run time, trips per hour, and cycle times, environmental parameters such as temperature changes, utility power, and weather, and equipment performance parameters such as mechanical deterioration. This monitored data is typically stored in a central database, or an equipment database. The present invention recognizes that relevant target system parameters may be identified that indicate customer needs from parameters that are already being monitored by the remote monitoring system and stored in the equipment database. A novel database can be then created for utilizing these target parameters for the customer's specific installation. The novel database matches new or upgraded product benefits from the enterprise-wide information database system to these target parameters. The matched information is then processed automatically into a proposal for the new product or upgrade for the customer

and sent either by mail or over the Internet directly to the customers, or sent internally within the service company to be used as leads by service company sales representatives.

The novel apparatus as set forth in independent Claim 18 comprises:

a. an input means located at and connected to an elevator installation or an escalator installation for receiving dynamic parametric data information related to electrical and mechanical operating parameters of customer equipment in the installation being remotely monitored, said dynamic parametric data information being suitable for service purposes, said operating parameters including at least one of a usage parameter, an environmental parameter and mechanical deterioration; (Specification at: page 6, line 19 through page 7, line 3, Drawings at: Fig. 1, reference numerals 12 and 14.)

b. an equipment database storage device remote from the installation and connected to said input means for receiving and storing said dynamic parametric data information in a form suitable for determining when to take corrective service action at the installation based upon said dynamic parametric data information; (Specification at: page 7, lines 9-30. Drawings at: Fig. 1, reference numeral 20.)

c. a product database storage device for storing product information related to characteristics of a plurality of products related to the customer equipment, said product information for each said characteristic including a limit corresponding to a possible value of said dynamic parametric data information of an associated one of said operating parameters; and (Specification at: page 7, line31 through page 8, line 15. Drawings at: Fig. 1, reference numeral 22.)

d. an offer generator means connected to said equipment database storage device and to said product database storage device for comparing a value of said stored dynamic parametric data information of a selected one of said operating parameters with at least one of said stored product information limits corresponding to said selected one operating parameter, said offer generator means generating a sales offer for a product associated with said

limit directed to the customer associated with the customer equipment when said value and said limit have a predetermined relationship representing a maintenance requirement. (Specification at: page 8, lines 5-7 and 16-23. Drawings at: Fig. 1, reference numeral 24.)

Claims 19 to 27, 37 and 39 depend from and include at least the same limitations recited in independent Claim 18.

Claim 19 further recites "a customer database storage device connected to said offer generator means for receiving said sales offer and a web server connected to said customer database storage device for sending said sales offer to the customer." (Specification at: page 8, line 23 through page 9, line 4. Drawings at: Fig. 1, reference numerals 26 and 28.)

Claim 20 further recites "said web server generates said sales offer on a web page for viewing by the customer." (Specification at: page 8, lines 30-32. Drawings at: Fig. 1, reference numerals 28 and 30.)

Claim 21 further recites "said web server generates said sales offer as an e-mail message for transmission to the customer." (Specification at: page 9, lines 1-3.)

Claim 22 further recites "a customer database storage device connected to said offer generator means for receiving said sales offer, said customer database storage device verifying accuracy of said sales offer against customer information stored in said customer database storage device." (Specification at: page 8, lines 23-28. Drawings at: Fig. 1, reference numerals 24 and 26.)

Claim 23 further recites "a customer database storage device connected to said offer generator for receiving said sales offer, said customer database storage device using customer information stored therein for transmitting said sales offer to the customer." (Specification at: page 8, lines 23-28. Drawings at: Fig. 1, reference numerals 24 and 26.)

Claim 24 further recites "said input means includes an interface connected to the customer equipment for receiving said parametric data information, a data collector means connected to said equipment database storage device and data transfer means connected between said interface and said data collector means for transferring said

parametric data information to said equipment database storage device." (Specification at: page 7, lines 3-10. Drawings at: Fig. 1, reference numerals 12, 14, 18 and 20.)

Claim 25 further recites "the product information includes information about devices and services related to the customer equipment." (Specification at: page 7, line 31 through page 8, line 3.)

Claim 26 further recites "said limit is a threshold and said predetermined relationship occurs when said value exceeds said threshold." (Specification at: page 8, lines 5-23.)

Claim 27 further recites "said limit is a range and said predetermined relationship occurs when said value is within said range." (Specification at: page 8, lines 10-23.)

Claim 37 further recites "said operating parameters include said usage parameter and said usage parameter is one of run time, trips per hour and cycle times." (Specification at: page 3, lines 21-22.)

Claim 39 further recites "said operating parameters include said environmental parameter and said environmental parameter is one of temperature changes, utility power and weather." (Specification at: page 3, lines 22-23.)

The novel method as set forth in independent Claim 28 comprises the steps of:

a. receiving dynamic parametric data information related to an electrical or mechanical operating parameter of customer equipment in an elevator installation or an escalator installation being remotely monitored for service purposes, said operating parameter being one of a usage parameter, an environmental parameter and mechanical deterioration; (Specification at: page 9, lines 10-12. Drawings at: Fig. 2, reference numeral 42)

b. storing the dynamic parametric data information in an equipment database storage device in a form suitable for determining when to take corrective service action and taking corrective service action at the installation based upon the stored dynamic parametric data information; (Specification at: page 9, lines 12-13. Drawings at: Fig. 2, reference numeral 44)

c. storing in a product database storage device product information related to a characteristic of at least one product including a limit corresponding to a

possible value of the dynamic parametric data information; (Specification at: page 8, line 31 through page 9, line 7.)

d. comparing a value of the stored dynamic parametric data information with the limit; and (Specification at: page 9, line 19. Drawings at: Fig. 2, reference numeral 52)

e. generating a sales offer directed to a customer associated with the customer equipment when the value and the limit have a predetermined relationship representing a maintenance requirement. (Specification at: page 9, lines 22-24. Drawings at: Fig. 2, reference numeral 54)

Claims 29-34 depend from and include at least the same limitations recited in independent Claim 28.

Claim 29 further recites "a step of storing in a customer database storage device customer information related to the customer and sending the sales offer to the customer based upon the stored customer information." (Specification at: page 8, lines 25-28. Drawings at: Fig. 1, reference numeral 26)

Claim 30 further recites "sending the sales offer to the customer by at least one of regular mail, e-mail and a web page." (Specification at: page 8, line 30 through page 9, line 3; page 9, lines 22-24. Drawings at: Fig. 2, reference numeral 54)

Claim 31 further recites "using the customer information to verify the accuracy of the sales offer." (Specification at: page 8, lines 25-28.)

Claim 32 further recites "a step of monitoring the customer equipment to generate the parametric data information." (Specification at: page 6, lines 29-31. Drawings at: Fig. 2, reference numeral 42)

Claim 33 further recites "said step c. is performed by storing in the product database storage device product information related to characteristics of a plurality of devices and services." (Specification at: page 7, lines 31-32. Drawings at: Fig. 1, reference numeral 22)

Claim 34 further recites "performing said steps a. through b. for a plurality of operating parameters of the customer equipment." (Specification at: page 9, lines 24-26.)

The novel apparatus as set forth in independent Claim 35 comprises:

a. a data collector means for receiving dynamic parametric data information related to electrical and mechanical operating parameters of remotely monitored customer equipment being monitored for service purposes including at least one of an elevator installation and an escalator installation, said operating parameters including at least one of a usage parameter, an environmental parameter and mechanical deterioration, said data collector means being located remote from the installation and said dynamic parametric data information being suitable for service purposes; (Specification at: page 6, line 19 through page 7, line 3, Drawings at: Fig. 1, reference numerals 12 and 14.)

b. an equipment database storage device connected to said data collector means for receiving and storing said dynamic parametric data information in a form suitable for determining when to take a corrective service action at the installation; (Specification at: page 7, lines 9-30. Drawings at: Fig. 1, reference numeral 20.)

c. a product database storage device for storing product information related to characteristics of a plurality of products related to the customer equipment, said product information for each said characteristic including a limit corresponding to a possible value of said dynamic parametric data information of an associated one of said operating parameters; (Specification at: page 7, line31 through page 8, line 15. Drawings at: Fig. 1, reference numeral 22.)

d. an offer generator means connected to said equipment database storage device and to said product database storage device for comparing a value of said stored dynamic parametric data information of a selected one of said operating parameters with at least one of said stored product information limits corresponding to said selected one operating parameter, said offer generator means generating a sales offer for a product associated with said limit directed to the customer associated with the customer equipment when said value and said limit have a predetermined relationship

representing a maintenance requirement; (Specification at: page 8, lines 5-7 and 16-23. Drawings at: Fig. 1, reference numeral 24.)

e. a customer database storage device connected to said offer generator means for receiving said sales offer; and (Specification at: page 8, line 23 through page 9, line 4. Drawings at: Fig. 1, reference numerals 26 and 28.)

f. a web server connected to said customer database storage device for sending said sales offer to the customer. (Specification at: page 8, line 23 through page 9, line 4. Drawings at: Fig. 1, reference numerals 26 and 28.)

Claims 36 and 38 depend from and include at least the same limitations recited in independent Claim 35.

Claim 36 further recites "said operating parameters include said usage parameter and said usage parameter is one of run time, trips per hour and cycle times." (Specification at: page 3, lines 21-22.)

Claim 38 further recites "said operating parameters include said environmental parameter and said environmental parameter is one of temperature changes, utility power and weather." (Specification at: page 3, lines 22-23.)

(vi) *Grounds of Rejection to be Reviewed on Appeal:*

1. Whether Claims 36 and 37 are patentable under 35 U.S.C. 112, second paragraph;

2. Whether Claims 18-27, 37 and 39 are patentable under 35 U.S.C. 112, first paragraph;

3. Whether Claims 38 and 39 are patentable under 35 U.S.C. 112, second paragraph.

4. Whether Claims 18-20 and 22-39 are patentable under 35 U.S.C. 103(a) over Gronemeyer et al. (U.S. Patent Number: 6,363,359) in view of Ives et al. ("After the Sale: Leveraging Maintenance with Information Technology", MIS Quarterly, Vol. 12, No 1, March 1988, pp 7-21).

5. Whether Claim 21 is patentable under 35 U.S.C. 103(a) over Gronemeyer et al. in view of Ives et al. in further view of Palme et al. (RFC 2557, MIME Encapsulation of Aggregate Documents, such as HTML).

(vii) *Argument:*

The rejection of Claims 36 and 37 under 35 U.S.C. 112, second paragraph:

In the Final Office Action dated July 8, 2008, the Examiner rejected Claims 36 and 37 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Appellant regards as the invention. The Examiner stated that the amendments to Claims 36 and 37 still indicate that the operating parameter of Claims 35 and 18 include a usage parameter. However, Claims 35 and 18 do not require that the operating parameter includes a usage parameter. Instead Claims 35 and 18 indicate that the operating parameter includes at least one of a usage parameter, an environmental parameter, and mechanical deterioration. Once again, in order to overcome the rejection, the examiner recommends that the applicant amend Claims 35 and 18 to clearly state that the operating parameter must include a usage parameter. (Final Office Action at paragraph 2)

Claims 18 and 35 recite that the operating parameters include "at least one of a usage parameter, an environmental parameter and mechanical deterioration". Claims 37 and 36 depend from Claims 18 and 35 respectively and recite that the operating parameters include "said usage parameter" and further define the usage parameter. The language used in Claims 18, 35, 36 and 37 is no different than if Applicant had omitted the term "usage parameter" from Claims 18 and 35 and introduced that term in Claims 36 and 37. Applicant submits that the wording of Claims 36 and 37 meets the requirements of 35 U.S.C. 112, second paragraph.

The rejection of Claims 18-27, 37 and 39 under 35 U.S.C. 112, first paragraph:

The Examiner rejected Claims 18-27, 37 and 39 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Examiner stated that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Amended independent Claim 18 recites an input means located at and connected to an installation. However, the Examiner cannot locate, in the applicants specification, an input means that is required to be located at an installation. Instead, the Examiner finds

that Page 7, lines 8-30 of the applicant's specification specifically discloses an input means which is remotely located. (Final Office Action at paragraph 4)

Claim 18 recites "an input means located at and connected to an elevator installation or an escalator installation for receiving dynamic parametric data information related to electrical and mechanical operating parameters of customer equipment in the installation being remotely monitored". This "input means" includes the remote monitor interface **14** installed at and connected to the equipment system **12** such as an elevator system or an escalator system. (Specification Page 4, Lines 13-15; Specification Page 6, Line 29 through Page 7, Line 5; Fig. 1) The Examiner did not identify which elements described on Page 7, lines 8-30 are an input means which is remotely located. However, Claim 24 describes the "input means" as including the remote monitor interface **14**. Applicant submits that Claims 18-27, 37 and 39 meet the requirements of 35 U.S.C. 112, second paragraph.

The rejection of Claims 38 and 39 under 35 U.S.C. 112, second paragraph:

The Examiner rejected Claims 38 and 39 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 38 and 39 depend from independent claims 35 and 18, respectively. Independent Claims 18 and 35 do not require that an environmental parameter be present. The claims recite "at least one of a usage parameter, an environmental parameter, and mechanical deterioration". Therefore, the limitations that set forth the metes and bounds of the claims merely require that one of the three operating parameters be present. Without a requirement that the environmental parameter be present the dependent claims fail to further limit the parent claim. The Examiner recommended, provided there is support in the specification, amending independent Claims 18 and 35 to clearly state that the operating parameter must include an environmental parameter. (Final Office Action at paragraph 6)

Claims 18 and 35 recite that the operating parameters include "at least one of a usage parameter, an environmental parameter and mechanical deterioration". Claims 39 and 38 depend from Claims 18 and 35 respectively and recite that the operating parameters include "said environmental parameter" and further define the environmental

parameter. The language used in Claims 18, 35, 38 and 39 is no different than if Applicant had omitted the term "environmental parameter" from Claims 18 and 35 and introduced that term in Claims 38 and 39. Applicant submits that the wording of Claims 38 and 39 meets the requirements of 35 U.S.C. 112, second paragraph.

The rejection of Claims 18–20 and 22-39 under 35 U.S.C. 103(a):

The Examiner rejected Claims 18-20 and 22-39 under 35 U.S.C. 103(a) as being unpatentable over Gronemeyer et al. (U.S. Patent Number: 6,363,359) in view of Ives et al. ("After the Sale: Leveraging Maintenance with Information Technology", MIS Quarterly, Vol. 12, No 1, March 1988, pp 7-21). (Final Office Action paragraph 8)

Claim 18:

Applicant's Claim 18 recites that the input means is located at the elevator or escalator installation. The Examiner refers to Gronemeyer (Col. 2, Lines 51-57; and Col. 3, Line 11 through Col. 4, Line 24) as including such an input means (Final Office Action pages 4-5) which could be the forms, the human interface for electing the information to send, and the sentinel (Final Office Action pages 17-18). However, none of these "input devices" receives dynamic parametric information as recited in Applicant's Claim 18 and dependent Claims 19-27.

Claims 18, 28 and 35:

Claims 18 and 35 recite that the dynamic parametric data information is suitable for service purposes. Claim 28 recites a step of "storing the dynamic parametric data information in an equipment database storage device in a form suitable for determining when to take corrective service action and taking corrective service action at the installation based upon the stored dynamic parametric data information".

The Examiner stated that Gronemeyer references a log file (Col 5, lines 47-67) that is transmitted to the server. The Examiner interprets parametric data to be data relating to parameters, measurements and values upon which the operation of a device relies. Therefore, information regarding the hardware and software on a computing system, which is included in the log file is parametric data. (Final Office Action page 5)

The Examiner's interpretation of "parametric data" does not apply to that term as used in Applicant's description and claims. As explained in the specification on Page 6,

Lines 20-32, the parametric data represents the process operating conditions of the customer equipment. Therefore, it is dynamic data that is subject to changes as the customer installation being monitored is operated.

In contrast, Gronemeyer (Col. 2, Lines 41-65) discloses that the server interacts with a sentinel that resides on the client computing device. The sentinel is responsible for inspecting the client computing device and for determining the needed goods (software or hardware) based on the static configuration data of the inspected device. The configuration of the currently installed hardware and software is not changing during operation of the client computing device. Also note that the Gronemeyer sentinel is queried only when the client web browser contacts a web site of a provider of goods or services. (Fig. 1; Step **56**) Thus, the server receives only the static data in the log file at the time of the query.

Claims 18, 28 and 35:

Claims 18, 28 and 35 recite that the equipment database storage device receives and stores the dynamic parametric data information in a form suitable for determining when to take corrective service action at the installation based upon the dynamic parametric data information. Gronemeyer does not mention determining when to take corrective service action at the installation based upon the log file data.

As recited in Applicant's claims, the dynamic parametric data generated by the monitored equipment (functional, performance and environmental data) are all stored in a remote database. A remote monitoring computer evaluates the dynamic parametric data and monitors and handles the data being out of predetermined values.

Ives (Page 13, Col. 1, Lines 3-19) merely states that Otis Elevator has begun equipping elevators with self-diagnostic control systems that automatically notify OTIS when maintenance is required. No details about the system are given. The combination of Gronemeyer and Ives teaches an offering system for computers and spare parts used in elevator systems whereas the need for replacement is based on static data and not on generated dynamic parametric data as recited in Applicant's claims.

Claims 18 and 35 recite that the dynamic parametric data information is suitable for service purposes. As explained on Page 6, Lines 20-32 of Applicant's specification, the parametric data represents the process operating conditions of the customer

equipment. Therefore, it is dynamic data that is subject to changes as the customer installation being monitored is operated. In contrast, Gronemeyer (Col. 2, Lines 41-65) discloses that the server interacts with a sentinel that resides on the client computing device. The sentinel is responsible for inspecting the client computing device and for determining the needed goods (software or hardware) based on the static configuration data of the inspected device. The configuration of the currently installed hardware and software is not changing during operation of the client computing device. Also note that the Gronemeyer sentinel is queried only when the client web browser contacts a web site of a provider of goods or services. (Fig. 1; Step **56**) Thus, the server receives only the static data in the log file at the time of the query.

Claims 19, 20, 22-27, 29-34 and 36-39:

These claims depend from one of independent Claims 18, 28 and are patentable for the reasons stated above.

The rejection of Claim 21 under 35 U.S.C. 103(a):

The Examiner rejected Claim 21 under 35 U.S.C. 103(a) as being unpatentable over Gronemeyer et al. (U.S. Patent Number: 6,363,359) in view of Ives et al. ("After the Sale: Leveraging Maintenance with Information Technology", MIS Quarterly, Vol. 12, No 1, March 1988, pp 7-21) in further view of Palme et al. (RFC 2557, MIME Encapsulation of Aggregate Documents, such as HTML). The Examiner commented that Gronemeyer does not specifically state that the generated web page is transmitted to the consumer using an email transportation protocol.

Claim 21 depends from Claim 18 and is patentable for the reasons stated above.

Claim 21 recites that the web server generates the sales offer as an e-mail message for transmission to the customer. Ives (Page 13, Col. 1, Lines 3-19) merely states that Otis Elevator has begun equipping elevators with self-diagnostic control systems that automatically notify OTIS when maintenance is required. No details about the system are given. The combination of Gronemeyer and Ives teaches an offering system for computers and spare parts used in elevator systems whereas the need for replacement is based on static data and not on generated dynamic parametric data. Palme describes

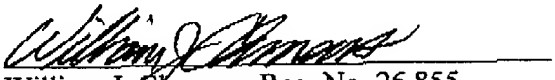
MIME formatted messages for transmission of complete multi-resource HTML multimedia documents and does not provide the missing claimed subject matter.

Conclusion:

For the foregoing reasons, Appellant respectfully submits that the claims on appeal each define subject matter which is not rendered obvious to one of ordinary skill in the art at the time the invention was made. Therefore, and for all of these reasons, Appellant respectfully requests that this Honorable Board REVERSE the final rejection of Claims 18-39.

Accordingly, all of the claims on appeal are believed to be entitled to allowance, and a favorable decision is courteously solicited.

Respectfully submitted,



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(viii) *Claims Appendix:*

The claims on Appeal read as follows:

Claims 1-17 (Cancelled)

18. An apparatus for using data obtained from remote monitoring of customer equipment for service purposes to generate product sales offers to customers comprising:

an input means located at and connected to an elevator installation or an escalator installation for receiving dynamic parametric data information related to electrical and mechanical operating parameters of customer equipment in the installation being remotely monitored, said dynamic parametric data information being suitable for service purposes, said operating parameters including at least one of a usage parameter, an environmental parameter and mechanical deterioration;

an equipment database storage device remote from the installation and connected to said input means for receiving and storing said dynamic parametric data information in a form suitable for determining when to take corrective service action at the installation based upon said dynamic parametric data information;

a product database storage device for storing product information related to characteristics of a plurality of products related to the customer equipment, said product information for each said characteristic including a limit corresponding to a possible value of said dynamic parametric data information of an associated one of said operating parameters; and

an offer generator means connected to said equipment database storage device and to said product database storage device for comparing a value of said stored dynamic parametric data information of a selected one of said operating parameters with at least one of said stored product information limits corresponding to said selected one operating parameter, said offer generator means generating a sales offer for a product associated with said

limit directed to the customer associated with the customer equipment when said value and said limit have a predetermined relationship representing a maintenance requirement.

19. The apparatus according to Claim 18 including a customer database storage device connected to said offer generator means for receiving said sales offer and a web server connected to said customer database storage device for sending said sales offer to the customer.

20. The apparatus according to Claim 19 wherein said web server generates said sales offer on a web page for viewing by the customer.

21. The apparatus according to Claim 19 wherein said web server generates said sales offer as an e-mail message for transmission to the customer.

22. The apparatus according to Claim 18 including a customer database storage device connected to said offer generator means for receiving said sales offer, said customer database storage device verifying accuracy of said sales offer against customer information stored in said customer database storage device.

23. The apparatus according to Claim 18 including a customer database storage device connected to said offer generator for receiving said sales offer, said customer database storage device using customer information stored therein for transmitting said sales offer to the customer.

24. The apparatus according to Claim 18 wherein said input means includes an interface connected to the customer equipment for receiving said parametric data information, a data collector means connected to said equipment database storage device and data transfer means connected between said interface and said data collector means for transferring said parametric data information to said equipment database storage device.

25. The apparatus according to Claim 18 wherein the product information includes information about devices and services related to the customer equipment.

26. The apparatus according to Claim 18 wherein said limit is a threshold and said predetermined relationship occurs when said value exceeds said threshold.

27. The apparatus according to Claim 18 wherein said limit is a range and said predetermined relationship occurs when said value is within said range.

28. A method of using data obtained from remote monitoring of customer equipment for service purposes to generate product sales offers, comprising the steps of:

a. receiving dynamic parametric data information related to an electrical or mechanical operating parameter of customer equipment in an elevator installation or an escalator installation being remotely monitored for service purposes, said operating parameter being one of a usage parameter, an environmental parameter and mechanical deterioration;

b. storing the dynamic parametric data information in an equipment database storage device in a form suitable for determining when to take corrective service action and taking corrective service action at the installation based upon the stored dynamic parametric data information;

c. storing in a product database storage device product information related to a characteristic of at least one product including a limit corresponding to a possible value of the dynamic parametric data information;

d. comparing a value of the stored dynamic parametric data information with the limit; and

e. generating a sales offer directed to a customer associated with the customer equipment when the value and the limit have a predetermined relationship representing a maintenance requirement.

29. The method according to Claim 28 including a step of storing in a customer database storage device customer information related to the customer and sending the sales offer to the customer based upon the stored customer information.

30. The method according to Claim 29 including sending the sales offer to the customer by at least one of regular mail, e-mail and a web page.

31. The method according to Claim 29 including using the customer information to verify the accuracy of the sales offer.

32. The method according to Claim 28 including a step of monitoring the customer equipment to generate the parametric data information.

33. The method according to Claim 28 wherein said step c. is performed by storing in the product database storage device product information related to characteristics of a plurality of devices and services.

34. The method according to Claim 28 including performing said steps a. through b. for a plurality of operating parameters of the customer equipment.

35. An apparatus for using data obtained from remote monitoring of customer equipment for service purposes to generate product sales offers to customers comprising:

a data collector means for receiving dynamic parametric data information related to electrical and mechanical operating parameters of remotely monitored customer equipment being monitored for service purposes including at least one of an elevator installation and an escalator installation, said operating parameters including at least one of a usage parameter, an environmental parameter and mechanical deterioration, said data collector means being located remote from the installation and said dynamic parametric data information being suitable for service purposes;

an equipment database storage device connected to said data collector means for receiving and storing said dynamic parametric data information in a form suitable for determining when to take a corrective service action at the installation;

a product database storage device for storing product information related to characteristics of a plurality of products related to the customer equipment, said product information for each said characteristic including a limit corresponding to a possible value of said dynamic parametric data information of an associated one of said operating parameters;

an offer generator means connected to said equipment database storage device and to said product database storage device for comparing a value of said stored dynamic parametric data information of a selected one of said operating parameters with at least one of said stored product information limits corresponding to said selected one operating parameter, said offer generator means generating a sales offer for a product associated with said limit directed to the customer associated with the customer equipment when said value and said limit have a predetermined relationship representing a maintenance requirement;

a customer database storage device connected to said offer generator means for receiving said sales offer; and

a web server connected to said customer database storage device for sending said sales offer to the customer.

36. The apparatus according to Claim 35 wherein said operating parameters include said usage parameter and said usage parameter is one of run time, trips per hour and cycle times.

37. The apparatus according to Claim 18 wherein said operating parameters include said usage parameter and said usage parameter is one of run time, trips per hour and cycle times.

38. The apparatus according to Claim 35 wherein said operating parameters include said environmental parameter and said environmental parameter is one of temperature changes, utility power and weather.

39. The apparatus according to Claim 18 wherein said operating parameters include said environmental parameter and said environmental parameter is one of temperature changes, utility power and weather.

(ix) *Evidence Appendix:*

Evidence relied on by Examiner as to grounds of rejection(s):

None.

Evidence by Appellant pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132:

None.

(x) *Related Proceedings Appendix:*

None.